

Appl. No. 10/786,784
Amdt. Dated September 8, 2006
Reply to Office action of July 12, 2006

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for his courtesy and consideration during two telephone interviews with applicant's attorney on September 5, 2006. The substance of these interviews are embodied in the following remarks.

Claim 5 has been amended to define the insert as being "generally cup-shaped". Claim 8 has been amended in a similar manner to define the recess member as being "in the form of a generally cup-shaped indentation." This is the language used in the specification to describe the breast accommodation shown in the drawings. While no agreement was reached as to the allowability of the claims, it is believed that the new language was considered favorably by the Examiner.

The Little patent was discussed in detail. It was pointed out that the Little invention is directed to an electric guitar in which the invention resides in rotation of the nut and bridge to reduce flexion of the player's hand. The present invention, on the other hand, deals with an acoustic guitar. The recitation in the claims of an "acoustic guitar" is submitted to have significance in that acoustic guitars which are held against the chest present a different problem than electric guitars which are held lower on the body adjacent the abdomen.

The difference between an acoustic guitar and an electric guitar is illustrated by Exhibits A and B attached hereto. Referring to Exhibit A, the photograph shows an electric guitar held in playing position. The photograph of Exhibit B shows a conventional acoustic guitar in playing position. The photograph of Exhibit B shows how the upper edge and rim of the conventional acoustic guitar digs into the breast of the player (the so-called "pinch"). The specification and the previously filed remarks discuss the problems of the "pinch."

It was further pointed out that an electric guitar such as shown by Little does not present the

Appl. No. 10/786,784
Amdt. Dated September 8, 2006
Reply to Office action of July 12, 2006

"pinch" problem solved by the present invention. In fact, there is no need for any breast accommodating recess in an electric guitar since it is not held against the breast. The Little patent merely states that the back surface of his electric guitar body is concave to accommodate the players body. The surface, even though concave, is continuous. It does not have any opening or recess for a female breast.

It is submitted that the amended claims should be favorably considered, since Little clearly does not disclose or suggest anything resembling a "generally cup-shaped" indentation as disclosed in the present specification and drawings. Therefore the amended claims should be allowed and the application be passed to issue.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 36085US1.

Respectfully submitted,

PEARNE & GORDON LLP

By:


Lowell L. Heinke, Reg. No. 19471

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date:

9/8/2006